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Attorneys for Plaintiffs

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION

THOMAS BRECK,  
DANIELLE BRECK, and  
STEVE KELLY,

CV 17-36-M-DLC

vs.

COREY STAPLETON,  
in his official capacity as  
Secretary of State of the  
State of Montana,

PLAINTIFFS'  
MOTION FOR A  
TEMPORARY  
RESTRANING ORDER AND  
PRELIMINARY  
INJUNCTION

Defendant.

Pursuant to Rule 65 of the Federal Rules of Civil Procedure, the plaintiffs respectfully move the Court for a temporary restraining order and preliminary injunction prohibiting the Secretary of State from enforcing Montana's ballot-access scheme against them in the May 25, 2017 special congressional election and from failing to print their names on the ballot. The first round of these ballots must go out by Monday April 10, 2017, so the Plaintiffs respectfully request that the Court issue an injunction sufficiently in advance of that date.

Respectfully submitted this 22nd day of March, 2017.

/s/ Bryan Sells\*  
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**CERTIFICATE OF SERVICE**

At this early point in the case, no attorney has yet made an appearance for Defendant Secretary of State Corey Stapleton. However, I hereby certify that on March 22, 2017, I attempted service of the foregoing document upon the Defendant by emailing a copy to the following attorneys by electronic mail:

Tim Fox  
Montana Attorney General  
contactdoj@mt.gov

Jeffrey Hindoien  
Montana Secretary of State Legal Counsel  
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/s/ Timothy Bechtold

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